

MICHELLE D. SPENCER, CBN 164696
LAW OFFICE OF MICHELLE D. SPENCER
55 River Street, Suite 100
Santa Cruz, CA 95060
Tel: 831 458 0502
Fax: 831 515 5053

Attorney for Octavio Paque

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MISAEEL BARAJAS,
OCTAVIO PAQUE, AND
OMAR FERNANDO PERALTA
SANCHEZ,

Defendants.

CASE NO: CR19-00611-BLF

JOINT STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE TO
JANUARY 12, 2021

The parties, by and through their respective counsel, hereby stipulate, subject to the Court's approval, that the Court continue the status conference from October 6, 2020 at 9:00 a.m. to January 12, 2021 at 9:00 a.m.

The government has produced discovery including more than 700 Spanish language audio recordings and will continue to provide additional discovery as it is received. The

1 defense requires additional time to review the discovery and investigate the case. Further, the
 2 ongoing public health crisis has hampered defense counsels' ability to meet with their clients,
 3 relevant personnel, witnesses, and has impeded necessary investigative efforts. Accordingly,
 4 the parties respectfully request that the Court continue the status conference to January 12,
 5 2021 at 9:00 a.m.
 6

7 The parties further stipulate that the time period October 6, 2020 through and
 8 including January 12, 2021 should be excluded under the Speedy Trial Act, 18 U.S.C.
 9 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interest of justice to permit effective defense
 10 investigation and preparation during the ongoing public health emergency, allow sufficient
 11 time for the parties to evaluate the discovery provided and make informed decisions
 12 concerning this case.
 13

14 IT IS SO STIPULATED.

15 Respectfully submitted,
 16 DAVID L. ANDERSON
 United States Attorney

17 Dated: September 30, 2020

18 /S/
 SARAH E. GRISWOLD
 Assistant United States Attorney

19 Dated: September 30, 2020

20 /S/
 CARLEEN R. ARLIDGE
 Attorney for MISAEEL BARAJAS

21 Dated: September 30, 2020

22 /S/
 MICHELLE D. SPENCER
 Attorney for OCTAVIO PAQUE

23 Dated: September 30, 2020

24 /S/
 ALFREDO M. MORALES
 Attorney for OMAR FERNANDO PERALTA SANCHEZ
 25
 26
 27
 28

ORDER

GOOD CAUSE APPEARING, and upon the stipulation of the parties,

IT IS HEREBY ORDERED that the status conference in this matter shall be continued from October 6, 2020 to January 12, 2021 at 9:00 a.m. The Court finds that the ends of justice outweigh the best interests of the public and the defendants in a speedy trial, and that for the reasons stated in the stipulation, the time within which the trial of this matter must be commenced under the Speedy Trial Act is excluded during the time period from October 6, 2020 through and including January 12, 2021 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv) for effective defense investigation and preparation during this public health emergency, continuity of counsel, and in the interests of justice.

Dated: September 30, 2020


HONORABLE BETH LABSON FREEMAN
United States District Judge